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E.O. 12958: DECL: 04/07/2018  
TAGS: [PREL](#) [AORC](#) [KPAO](#) [PTER](#) [UNSC](#) [KNNP](#)  
SUBJECT: 1540: RUSSIANS QUESTION U.S. PROPOSALS FOR  
MANDATE RENEWAL RESOLUTION

REF: A. USUN 303

- [1](#)B. STATE 34975
- [1](#)C. STATE 30934
- [1](#)D. USUN/IO EMAILS (WILCOX/JOHNSON)--03/25/08
- [1](#)E. USUN 257
- [1](#)F. MOSCOW 869
- [1](#)G. STATE 34968
- [1](#)H. STATE 8246

Classified By: Legal Minister Counselor Carolyn L. Willson, for reasons  
1.4(b) and (d).

[1](#)1. (C) BEGIN SUMMARY: On the margins of the Security Council 1540 Committee's meeting on April 4, Russia's 1540 expert, Dmitry Feoktistov, advised USUN that Moscow has reviewed the UK, French, and U.S. amendments to Russia's draft resolution to renew the Committee's mandate for two years. Reiterating Moscow's insistence on a simple, technical rollover resolution, he reported that Moscow believes the U.S. proposals are overly ambitious and potentially controversial. Specifically, he said Moscow has concerns about the U.S. proposal to request states to prepare action plans on 1540 implementation and for the Council to hold a comprehensive review by the end of 2009 on states' implementation of resolution 1540. Feoktistov also said the U.S. language referring to the Financial Action Task Force would be difficult for China to accept. END SUMMARY.

[1](#)2. (C) USUN, joined by UKUN 1540 expert Samantha Job, responded with points consistent with refs B and C, noting that the proposal for states to prepare action plans on their 1540 implementation is not new but rather reflects a recommendation in the 1540 Committee's 2006 report to the Security Council. Questioning the assertion that requesting action plans would be controversial, USUN stressed that the Organization for Security and Cooperation in Europe (with Russia's consent), the Organization for American States, and the ASEAN Regional Forum all have committed their members to prepare such action plans, "as appropriate." USUN also noted that action plans will provide the Committee with an important tool to facilitate the delivery of technical assistance to states that need it, and are not envisioned as a means for the Committee to impose new obligations on states or to penalize non-compliant states. In the same vein, USUN explained that the comprehensive review would provide the Council with an opportunity to assess the Committee's efforts to date and the status of states' implementation, as well as to broaden stakeholder involvement in 1540 involvement. USUN agreed to provide these clarifications to Feoktistov in writing, as he requested.

[1](#)3. (C) Feoktistov responded that Moscow remains concerned that the U.S. proposals for the 1540 Committee's mandate renewal are motivated by a desire to penalize states for non-compliance with resolution 1540. In particular, Feoktistov said the United States' repeated insistence on

characterizing resolution 1540 as imposing obligations to counter the proliferation of weapons of mass destruction and their means of delivery both to states and non-state actors, rather than only to non-state actors as the Russian Federation, China, and many other states do, has aroused Moscow's concern that the United States has ulterior motives for the 1540 Committee. Even if the U.S. proposal makes clear that states should submit action plans, "as appropriate," rather than as a requirement or obligation, Moscow is concerned that states will feel pressured to submit such plans. If states do not, or if they prepare action plans and then do not fulfill them, Moscow is concerned that the United States would try to have the Committee report such states to the Security Council for punitive measures. USUN and UKUN both again emphasized that the proposals for the mandate renewal are designed to promote implementation of resolution 1540 through cooperative, rather than punitive, means, such as the facilitation of technical assistance.

Khalilzad